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SANITARY LEGISLATION.

STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

MICHIGAN.

Mental Defectives—Sterilization of Those in Public Institutions to Prevent Procreation (Act No. 19, Apr. 1, 1913).

SECTION 1. Authority is given to the management of any institution maintained wholly or in part by public expense, in whose custody may be held individuals who have been by a court of competent jurisdiction adjudged to be and who are mentally defective or insane, to render incapable of procreation, by vasectomy or salpingectomy or by the improvement of said surgical operation which is least dangerous to life and will best accomplish the purpose, any person who is mentally defective or insane.

SEC. 2. The boards of the aforesaid institutions and the physicians or surgeons in charge of each of said institutions shall for each of their respective institutions constitute a board the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden or medical superintendent to be persons by whom procreation would be inadvisable. Such board shall receive the report of insanity experts hereinafter mentioned, examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and if in the judgment of a majority of said board procreation by any such person would produce children with an inherited tendency to insanity, feeble-mindedness, idiocy, or imbecility, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall direct a competent physician or surgeon, with such other assistants as may be necessary, to perform the operation of vasectomy or salpingectomy or any other operation or improvement on vasectomy or salpingectomy recognized by the medical profession, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination and the institution physician or surgeon shall receive no extra compensation therefor: *Provided*, That at least 30 days' notice shall be given to the parents or guardian of such person before the performing of such operation, said notice to specify the purpose, time, and place of such examination: *Provided further*, That when said parents or guardian object to the performance of such operation, then the question of the sanity of such person shall be referred to the probate court of the county in which the institution is located, where the question of the sanity and the necessity for this operation shall be determined as in other insane cases before such courts.

SEC. 3. In case an institution has no physician at its head, authority is given to the board of managers to cause such operation to be performed, to hire expert physicians to examine and report on the condition of the subject, and to perform the

operation, with such other assistants as may be necessary: *Provided*, That before said operation is ordered there shall first be secured from two physicians having qualifications prescribed by law for examiners in insanity a written statement or report that such operation is desirable in the interests of the patient or the good of the community: *And provided further*, That these physicians shall be allowed for their services the compensation fixed by statutes for the examination and certification of an insane person. The several sums necessary to carry out the provisions of this act shall be certified to be correct by the respective boards and shall be paid out of the general fund of the State upon the warrant of the auditor general.

SEC. 4. In relation to each individual person sterilized under the provisions of this act, the board of control of the institution in which said person is an inmate shall file with the State Board of Public Health of Michigan a written record setting forth the name, age, sex, nationality, type, or class of mental defectiveness of said person, the nature of the operation performed, the subsequent mental and physical condition as affected by said operation: *Provided*, That said records shall not be for public inspection, but may be open to inspection of the members of the board of control of the aforesaid institutions and of the members of the immediate family of the person operated upon, or any physician or surgeon designated by them.

SEC. 5. Except as authorized by this act, every person who shall perform, encourage, assist in, or otherwise promote the performance of either of the operations described in section 1 of this act for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such person, unless the same shall be a medical necessity, shall be guilty of a felony, and upon conviction thereof shall be fined not more than \$1,000 or imprisoned in the State prison not more than five years, or both, in the discretion of the court before whom the said person or persons were so convicted.

Nuisances—Abatement of (Act No. 71, Apr. 22, 1913).

SECTION 1. Section 10 of chapter 35 of the Revised Statutes of 1846, entitled "Of the preservation of the public health; quarantine, nuisances, and offensive trades," being compiler's section 4419 of the Compiled Laws of 1897, is hereby amended to read as follows:

"SECTION 10. If the owner or occupant shall not comply with such order of the board of health, such board may cause the said nuisance, source of filth, or cause of sickness to be removed and all expenses incurred thereby shall be paid by the said owner of such premises. If the owner of said premises shall refuse on demand of said board of health to pay such expenses so incurred, any sums so paid shall be assessed against such property and shall be collected and treated in the same manner as are taxes assessed under the general laws of the State. If the occupant or any other person shall have caused or permitted said nuisance to exist he shall be liable to the owner of said premises for any amount so paid by such owner or assessed against said property, which amount shall be recoverable in an action at law."

Waterworks and Sewage-Disposal Systems—Supervision and Control by State Sanitary Engineer (Act No. 59, Apr. 22, 1913).

SECTION 1. The State board of health is hereby given supervisory and visitatorial power and control as limited in this act over all corporations, both municipal and private, partnerships, and individuals engaged in furnishing water to the public for household or drinking purposes, and over the plants and systems owned or operated by such municipal or private corporations, partnerships, or individuals. The word "corporation," as hereinafter used in this act, shall be taken to mean and include municipal corporations as well as private corporations.

SEC. 2. The State board of health, its agents and representatives, shall have the power and authority to enter upon, at all reasonable times, the pumping plants, filter-